

REMARKS

Claims 1-17 are pending in this application. Claims 2, 3, 12 and 13 have been withdrawn. New claim 17 is added herein. Claim 1 has been amended. Applicants submit no new matter has been added by way of this amendment. Applicants respectfully request reconsideration of the above-identified application, in view of the above amendments and following remarks.

Applicants thank the Examiner for indication that claims 8-11 and 14-16 are allowed.

Claim Rejections – 35 U.S.C. § 102

Claims 1 and 4-7 have been rejected under 35 U.S.C. § 102(b), as being anticipated by Gannaway (US Patent No. 3,934,967). Applicants respectfully submit that amended independent claims 1, as well as the claims directly or indirectly dependent therefrom, are patentably distinct from the cited reference.

Amended independent claim 1 recites, *inter alia*:

a compressor comprising... a refrigerant path connecting the second chamber with the interior refrigerant passage, wherein the refrigerant path is formed in an internal area of the compressor.

Applicants respectfully submit that the Gannaway patent does not teach or suggest a compressor with a refrigerant path formed in the internal area of the compressor, as recited in amended independent claim 1.

The Office Action asserts, “Gannaway discloses a refrigeration compressor and system that shows all the features of the claimed invention including...an external refrigerant passages 74, 75 and 67, 66.” (See, Office Action, page 2.). The Gannaway patent discloses a compressor with an external refrigerant passage. Specifically, as shown in Figs. 1 and 2, a motor chamber 65 is connected to the interior refrigerant passage of the compressor via a desuperheater 14 and an external refrigerant passage 66.

In direct contrast, amended independent claim 1 recites the refrigerant path is formed in an internal area of the compressor. Applicants respectfully submit that forming the refrigerant path in an internal area of the compressor, as recited in independent claim 1 is patentably distinct from Gannaway ‘s external refrigerant passage 66. Similarly, Applicants submit that claims 4-7, which are dependent on independent claim 1, and new claim 17 are also patentably distinct from the Gannaway patent for at least this reason. Therefore, Applicants respectfully request withdrawal of this ground of rejection.

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CONCLUSION

It is now believed that all pending claims are in condition for allowance. In view of these remarks, an early and favorable reconsideration is respectfully requested.

Respectfully submitted,

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